REMARKS

I. Summary of the Office Action

Independent claim 1 and dependent claims 3, 4, 11, and 13 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beck U.S. Patent No. 6,276,761 (hereinafter "Beck") in view of Boylan et al. U.S. Patent No. 3,181,887 (hereinafter "Boylan").

Dependent claims 2 and 12 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beck in view of Boylan, in further view of Buma et al. U.S. Patent No. 4,911,617 (hereinafter "Buma I").

Dependent claims 5 and 6 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beck in view of Boylan, in further view of Buma et al. U.S. Patent No. 4,799,707 (hereinafter "Buma II").

Dependent claim 7 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beck in view of Boylan, in further view of Muller et al. U.S. Patent No. 4,616,881 (hereinafter "Muller).

Dependent claims 8-10 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beck in view of Boylan and Muller, in further view of Terborn et al. U.S. Patent No. 6,149,246 (hereinafter "Terborn").

Independent claim 1 has been rejected on the ground of nonstatutory obvious-type double patenting over claim 1 of Diekmeyer et al. U.S. Patent No. 7,946,660 (hereinafter "Diekmeyer")

II. Applicants' Reply to the 35 U.S.C. §103(a) Rejections over Beck in view of Boylan

The Examiner has rejected independent claim 1 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beck in view of Boylan. Applicants respectfully traverse.

Applicants' claimed invention, as recited in amended independent claim 1, is directed to an electronic compressed air system for a vehicle. The compressed air system includes a compressed air supply part and a compressed air consumer part. The compressed air consumer part includes, among other things, a plurality of service-brake circuits, a high pressure compressed air load circuit, and electrically actuatable valves. The electrically actuatable valves include a "first plurality of electrically actuatable valves" and "at least one other electrically

actuatable valve." The first plurality of electrically actuatable valves are operable to supply compressed air to the service-brake circuits and are in open position in a de-energized default state. The default state is the state of the valves during normal driving (*see* Applicant's specification, pg. 9, ln. 6-14).

As noted in previous submissions and in a prior telephone interview with the Examiner and the Examiner's SPE, Beck is directed to an air braking system for a vehicle. The Examiner relies upon Beck as allegedly showing all features of Applicants' claim 1, apart from the claimed feature of electrically actuatable valves being in an open position in a de-energized state.

To make up for this deficiency of Beck, the Examiner cites Boylan. Boylan discloses a service system for a tractor-trailer vehicle that can automatically connect and disconnect the service lines between a tractor-trailer vehicle combination. The power service system disclosed by Boylan (*see* Boylan, FIG. 9) includes one or more solenoid valves that are normally open in a de-energized state.

Applicants submit that Beck and Boylan, whether taken alone or together, fail to show or suggest all elements of Applicants' invention as recited in independent claim 1. As discussed in the telephone interview of March 2, 2011, Applicants' independent claim 1 was amended to clarify that "the first plurality of electrically actuatable valves are operable to supply compressed air to the service-brake circuits and are in open position in a de-energized default state" (emphasis added). The default state refers to the state of the valves during normal driving, regardless of whether the valves are normally open or normally closed in a de-energized state. Neither Beck nor Boylan show or suggest a first plurality of electrically actuatable valves that are operable to supply compressed air to the service-brake circuits and that are in open position in a de-energized default state.

Moreover, it is submitted that the citation to Boylan does not obviate the merits of the argument put forth in the reply to the previous final Office Action, which was favorably received during the March 2, 2011 telephone interview. As Applicants' representative explained in that interview and in the reply to the previous Office Action, combining previously-cited Crouch with Beck would render the Beck system inoperable for its intended purpose. The Examiner appears to have acknowledged this because the Crouch reference was not cited again.

However, Applicants respectfully submit that Boylan shares the very same deficiencies as Crouch and does not present any new substantive basis for rejecting the application claims.

Beck relies on normally de-energized closed valves to prevent loss of pressure to consumer circuits in the event of a failure of the electrical system (*see, e.g.*, Beck, col. 6, ln. 10-13). Using normally de-energized open valves in the Beck system would render the system inoperable. Applicants respectfully submit that one of ordinary skill in the art would not be inclined to substitute normally de-energized open valves for normally de-energized closed valves – especially in circumstances where the de-energized state is relied upon to serve a critical purpose (e.g., the fail-safe operation of the Beck system).

Accordingly, for at least the foregoing reasons, Applicants respectfully submit that independent claim 1, and the claims depending therefrom, (i.e., claims 3, 4, 11, and 13) are patentable over the combination of Beck and Boylan. Applicants therefore respectfully request that the 35 U.S.C. § 103(a) rejection of claims 1, 3, 4, 11, and 13 be withdrawn.

III. Applicants' Reply to the 35 U.S.C. §103(a) Rejections over Buma I, Muma II, Muller, and Terborn

The Examiner rejected claims 2 and 12 under 35 U.S.C. § 103(a) as being unpatentable over Beck in view of Boylan and further in view of Buma I. The Examiner also rejected claims 5 and 6 under 35 U.S.C. § 103(a) as being unpatentable over Beck in view of Boylan and further in view of Buma II. The Examiner further rejected claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Beck in view of Boylan and further in view of Müller. Lastly, the Examiner rejected claims 8-10 under 35 U.S.C. § 103(a) as being unpatentable over Beck in view of Boylan and Müller and further in view of Terborn.

Claims 2, 5-10, and 12 each depend from independent claim 1. As explained above, independent claim 1 is patentable. Accordingly, Applicants respectfully submit that dependent claims 2, 5-10, and 12 are patentable at least because they depend from a patentable base claim. Applicants therefore respectfully request that the 35 U.S.C. § 103(a) rejections of these claims be withdrawn.

IV. Applicants' Reply to the Double Patenting Rejection

The Examiner rejected claim 1 on the ground of nonstatutory, obviousness-type double patenting in view of claim 1 of Diekmeyer U.S. Patent no. 7,946,660. A terminal

disclaimer in compliance with 37 C.F.R. 1.321(c) is being submitted herewith to obviate the double patenting rejection.

V. Conclusion

On the basis of the foregoing, Applicants respectfully submit that this application is in condition for immediate allowance. Notice to this effect is earnestly solicited.

The Examiner is invited to contact Applicants' representatives at the telephone number set forth below if it will advance the prosecution of this case.

Please charge the $160 fee under 37 CFR 1.20(d) associated with the filing of the Terminal Disclaimer and any fee deficiency to Deposit Account No. 50-0540.

Respectfully submitted,

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